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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

FITEQ INC,
Plaintiff,
v.
VENTURE CORPORATION, et al.,
Defendants.

Case No. [13-cv-01946-BLF](#)

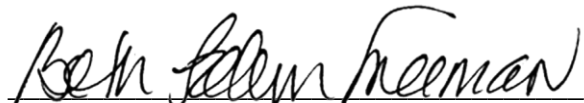
**ORDER RE NOTICE OF
UNAVAILABILITY**

Defendants filed a notice alerting the Court to their unavailability for trial on October 3, 2016 and suggesting an alternative date of January 4, 2017. ECF 420. The Court has considered the opposition filed by Fiteq and notes that Plaintiff has not advised the Court of its unavailability on the proposed date. *See* ECF 421. Further, the Court finds that an additional three month continuance would not unduly prejudice Plaintiff's interests.

Therefore, good cause having been shown, the Court RESETS trial for January 4, 2017. The Jury Instruction Conference is RESET for January 3, 2017 at 1:30 P.M. This constitutes a firm trial date; no further motions to shorten or continue time shall be granted.

IT IS SO ORDERED.

Dated: June 17, 2016


BETH LABSON FREEMAN
United States District Judge